

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARNELL MOON,

Defendant.

ORDER

11-cv-349-bbc
09-cr-135-bbc

Defendant Darnell Moon has filed a document entitled “Notice of Designation of Record” in which he asks that the clerk of court forward all briefs, motions and exhibits from his criminal case no. 09-cr-135-bbc to the court of appeals to be included as part of the record on his appeal in 11-cv-349-bbc.

The clerk of court certified and transmitted the record on appeal to the court of appeals on August 26, 2011 in case no. 11-cv-349-bbc. Because defendant’s appeal is from the denial of his motion under 28 U.S.C. § 2255 (case no. 11-cv-349), the briefs, motions and exhibits from his criminal case (09-cr-135-bbc) are not included in the record. In the event the court of appeals determines that it requires documents from defendant’s criminal

case, it will make that request to the clerk of courts and the documents will be certified and transmitted to the court of appeals. Therefore, defendant's motion will be denied as unnecessary.

ORDER

Defendant Darnell Moon's request to forward records to the court of appeals is DENIED as unnecessary.

Entered this 20th day of September, 2011.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge